

Case 1:18-cv-00077 Document 1 Filed 02/27/18 Page 1 of 4 PageID #: 1

**COX FRICKE
A LIMITED LIABILITY LAW PARTNERSHIP LLP**

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Attorneys for Respondent
UNITED AIRLINES, INC.

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF HAWAI'I

COLBY JOHNSON and JASON
MANGONON,

CIVIL NO. _____

Petitioners,

RESPONDENT UNITED
AIRLINES, INC.'S NOTICE OF
REMOVAL; DECLARATION OF
ABIGAIL M. HOLDEN; EXHIBITS
1 - 5; CERTIFICATE OF SERVICE

vs.

UNITED AIRLINES, INC.,

No trial date

Respondent.

RESPONDENT UNITED AIRLINES, INC.'S NOTICE OF REMOVAL

Respondent United Airlines, Inc. ("United Airlines"), hereby removes to this Honorable Court a civil action filed in the First Circuit Court for the State of Hawai'i, S.P. No. 18-1-0049 VLC, pursuant to 28 U.S.C. § 1441(b).

EXHIBIT A

I. STATE COURT PROCEEDINGS

1. On February 14, 2018, Petitioners Colby Johnson and Jason Mangonon (“Petitioners”), appearing *pro se*, filed a Verified Petition to Provide Deposition Before Action in Accordance with H.R.C.P. Rule 27 against United Airlines in the Circuit Court of the First Circuit for the State of Hawai‘i. A copy of the Petition is attached to the Declaration of Abigail M. Holden as Exhibit 1.

2. United Airlines was served with a copy of the Petition on February 15, 2018. (Declaration of Abigail M. Holden (“Holden Decl.”) at ¶ 2.) No other pleadings have been filed in this action. (See Exhibit 5, State Court docket.)

II. VENUE

3. Venue lies in the United States District Court for the District of Hawai‘i pursuant to 28 U.S.C. §§ 1441(a) and 1446(a) because this action was originally brought in the Circuit Court of the First Circuit for the State of Hawai‘i.

III. GROUNDS FOR REMOVAL

4. This Notice of Removal is timely pursuant to 28 U.S.C. § 1446(b) inasmuch as it was filed within 30 days of United Airline’s receipt of the civil action.

5. Petitioners’ Petition alleges that they are citizens and residents of the State of Hawai‘i. (Exhibit 1; Petition at ¶ 1.)

6. United Airlines is a corporation duly organized under the laws of the State of Delaware, headquartered in Chicago, Illinois. (Holden Decl. at ¶ 4.) United Airlines is not a citizen of the State of Hawai‘i. (*Id.*)

7. Thus, there is complete diversity of citizenship pursuant to 28 U.S.C. § 1332 and United Airlines is not a citizen of the State in which the action is brought pursuant to 28 U.S.C. § 1441(b).

8. The Petition alleges that Petitioners intend to bring actions for “Negligence, Negligence Per Se, Breach of Contract, and Negligent Infliction of Emotional Distress” against United Airlines. (Exhibit 1; Petition at ¶ 5.)

9. On January 3, 2018, Ms. Johnson wrote to United Airlines indicating that she intended to file a “Complaint against United [Airlines] in the United States District Court alleging a number of claims.” (Exhibit 2.)

10. On January 20, 2018, Petitioners demanded \$4,000,000.00 per person (apparently a total of \$8,000,000.00) to settle their claims. (Exhibit 3.)

11. On February 8, 2018, Petitioners demanded \$250,000 per person (apparently a total of \$500,000.00) to settle the claim. (Exhibit 4.)

12. Accordingly, the amount in controversy exceeds the jurisdictional minimum under 28 U.S.C. § 1332.

IV. NOTICE TO ADVERSE PARTIES AND STATE COURT

13. Pursuant to 28 U.S.C. § 1446(d), a copy of this Notice shall be promptly served on Petitioners and will be filed with the Clerk of the Court of the First Circuit, State of Hawai‘i.

V. CONCLUSION

14. By removing this action to this Court, United Airlines does not waive any defenses, objections or motions available under state or federal law. United Airlines expressly reserves the right to move for dismissal of Petitioners' claims pursuant to Rule 12 of the Federal Rules of Civil Procedure and/or any other rule.

WHEREFORE, United Airlines prays that the above-entitled action be removed from the Circuit Court of the First Circuit, State of Hawai‘i, to the United States District Court for the District of Hawai‘i.

DATED: Honolulu, Hawai‘i, February 27, 2018.

/s/ Abigail M. Holden

JOACHIM P. COX
ROBERT K. FRICKE
ABIGAIL M. HOLDEN

Attorneys for Respondent
UNITED AIRLINES, INC.

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IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF HAWAI'I

COLBY JOHNSON and JASON
MANGONON,

Petitioners,

vs.

UNITED AIRLINES, INC.,

Respondent.

CIVIL NO. _____

DECLARATION OF ABIGAIL M.
HOLDEN; EXHIBITS 1 - 5

DECLARATION OF ABIGAIL M. HOLDEN

I, Abigail M. Holden, declare and say that:

1. I am one of the attorneys for United Airlines, Inc. ("United").

All of the information stated herein is information based on my personal knowledge that I learned in said capacity for United. If called as a witness I could and would testify to the truth of the matters stated herein.

2. Attached hereto as Exhibit 1 is a true and correct copy of the Verified Petition to Provide Deposition Before Action in Accordance with H.R.C.P. Rule 27 filed in the Circuit Court of the First Circuit, State of Hawai'i on February 14, 2018 ("Petition").

3. United was served with a copy of the Petition on February 15, 2018.

4. United is a corporation duly organized under the laws of the State of Delaware, headquartered in Chicago, Illinois. United is not a citizen of the State of Hawai‘i.

5. Attached hereto as Exhibit 2 is a true and correct copy of an e-mail dated January 3, 2018, Ms. Johnson wrote to United Airlines indicating that she intended to file a “Complaint against United [Airlines] in the United States District Court alleging a number of claims.

6. Attached hereto as Exhibit 3 is a true and correct copy of an e-mail dated January 20, 2018 from Colby Johnson to United Airlines, offering to settle Petitioners’ claims against United Airlines for \$4,000,000.00 per person (apparently a total of \$8,000,000.00).

15. Attached hereto as Exhibit 4 is a true and correct copy of an e-mail dated February 8, 2018 from Colby Johnson to United Airlines, offering to settle Petitioner’s claims against United Airlines for \$250,000 per person (apparently a total of \$500,000.00).

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16. Attached hereto as Exhibit 5 is a true and correct copy of the State Court docket.

I declare under penalty of perjury under the laws of the State of Hawai‘i and the United States that the foregoing is true and correct.

Executed this 27th day of February 2018, at Honolulu, Hawai‘i.

/s/ Abigail M. Holden
ABIGAIL M. HOLDEN

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COLBY JOHNSON
 JASON MANGONON
 810 Richards Street, Suite 700
 Honolulu, HI 96813
 Telephone: (808) 265-5859
 E-mail: colbyej@lawnet.uci.edu

FIRST CIRCUIT COURT
 STATE OF HAWAII
 FILED

2018 FEB 14 PM 12:23

F. OTAKE
 CLERK

Petitioners Pro Se

IN THE CIRCUIT COURT OF THE FIRST CIRCUIT

STATE OF HAWAII

COLBY JOHNSON, and JASON
 MANGONON,

Petitioners.

v.

UNITED AIRLINES, INC.,

Respondent.

S.P. NO. 18-1-0049
 (Special Proceedings)

VLC

VERIFIED PETITION TO PROVIDE
 DEPOSITION BEFORE ACTION IN
 ACCORDANCE WITH H.R.C.P.
 RULE 27; NOTICE OF HEARING

HEARING: Monday, March 12, 2018

DATE: March 12, 2018
 TIME: 10:00 A.M.

JUDGE VIRGINIA LEA GRANDALL

VERIFIED PETITION TO PROVIDE DEPOSITION BEFORE ACTION IN
 ACCORDANCE WITH H.R.C.P. RULE 27

COME NOW Petitioners COLBY JOHNSON and JASON MANGONON

("Petitioners"), and hereby present this Verified Petition in accordance with Hawaii Rules of Civil Procedure Rule 27 for the perpetuation of testimony in an anticipated action before this Honorable Court, and allege as follows:

1. The Petitioners were, at all times relevant, individuals and residents of Honolulu County, Hawaii. Petitioners were passengers on United Flight No. 1589, on December 31, 2017.
2. Potential adverse party and Respondent, UNITED AIRLINES, INC. ("Respondent") is an airline headquartered in Chicago, Illinois, with a principal business address

FIRST CIRCUIT COURT
 STATE OF HAWAII
 RECEIVED
 AH ID: 19

EXHIBIT 1

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of Lobby 8, Overseas Terminal, Daniel K. Inouye International Airport, Honolulu, Hawaii, and engaged in operating flights both to and from Daniel K. Inouye International Airport in Honolulu, Hawaii.

3. Petitioners expect to be a party to an action cognizable in a court of this State but are presently unable to bring it or cause it to be brought because Petitioners are lacking information to establish the necessary agency relationship between a crewmember on United Flight No. 1589 and Respondent. Petitioners are unable to establish the prima facie case for a breach of contract cause of action without the contract of carriage maintained by United. Additionally, Petitioners are unable to establish the prima facie case for negligence per se without the records of the reports allegedly made by Respondent to the Federal Aviation Authority ("FAA") as governed by law.

4. Petitioners submitted a Freedom of Information Act Request to the FAA to obtain any and all preliminary accident or incident reports for United Flight No. 1589 on December 31, 2017. Petitioners have thus far been unable to obtain any preliminary accident or incident reports related to United Flight No. 1589. Petitioners have been unable to obtain any reports required of Respondent for intoxicated passengers and Bomb or Air Piracy threats.

5. It is anticipated that the subject matter of the expected action will be Negligence, Negligence Per Se, Breach of Contract, and Negligent Infliction of Emotional Distress. Petitioners anticipate that they will be Plaintiffs in the anticipated action against expected adverse party and Respondent United Airlines, Inc.

6. Petitioners seek to establish that the crew member involved in the subject matter of the anticipated litigation was an agent of United, and that United is liable for the negligence of its agents. Petitioners also seek to establish that United was negligent per se for its violation of

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the requirements established by 14 C.F.R. § 135.121 for the Improper Serving of Alcoholic Beverages and 49 C.F.R. § 1544.303 for the improper handling of Bomb or Air Piracy Threats, and for its failure to report these incidents to the FAA within the proscribed timeline.

7. Petitioners anticipate that United Airlines, Inc. is the expected adverse party. As reflected on the Department of Commerce and Consumer Affairs public information, United Airlines, Inc.'s agency address for personal service within the State of Hawaii is:

United Airlines, Inc.
c/o The Corporation Company, Inc., its Registered Agent
1136 Union Mall, Suite 301
Honolulu, Hawaii 96813

8. Petitioners respectfully request that this Honorable Court enter an Order permitting the Petitioners to perform a written or oral examination of the Adjuster for United's Corporate Insurance Department who conducted the investigation of the events relevant to the anticipated action before this Honorable Court. The party to be examined is:

Mr. Darrell Simpson
Corporate Insurance Analyst
1600 Smith Street
Houston, Texas 77002

9. Petitioners respectfully request that this Honorable Court enter an Order compelling the expected adverse party, United Airlines, Inc. to produce and preserve the following documents:

- (a) the cockpit voice recording (CVR) for United Airlines Flight No. 1589 on December 31, 2017;
- (b) the complete December 31, 2017 passenger list for United Airlines Flight No. 1589;
- (c) the complete December 31, 2017 employee and crew list for United Airlines Flight No. 1589;
- (d) all accident or incident reports submitted to the FAA by United Airlines in

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relation to United Airlines Flight No. 1589 on December 31, 2017;

(e) all employee, crew member, and pilot statements taken in relation to United Airlines Flight No. 1589 on December 31, 2017.

10. Petitioners believe the requested examination and production and protection of evidentiary items (a) through (e) is crucial and necessary, as each item is in the sole possession and custody of the Respondent. Petitioners believe that serious prejudice will occur should the requested relief be denied by this Honorable Court.

WHEREFORE, Petitioners respectfully pray for the entry of an Order granting the aforementioned relief.

DATED: Honolulu, Hawaii, February 8, 2018.

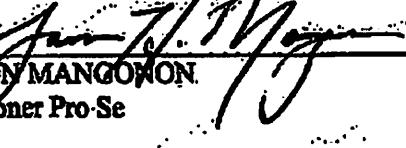

COLBY JOHNSON
Petitioner Pro Se


JASON MANGONON
Petitioner Pro Se

Petitioners declare under penalty of perjury that the foregoing is true and correct.

DATED: Honolulu, Hawaii, February 8, 2018.


COLBY JOHNSON
Petitioner Pro Se


JASON MANGONON
Petitioner Pro Se

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IN THE CIRCUIT COURT OF THE FIRST CIRCUIT

STATE OF HAWAII

18-1-0049 VLC

COLBY JOHNSON, and JASON
MANGONON,

S.P. NO:
(Special Proceedings)

Petitioners

v.

UNITED AIRLINES, INC.

Respondent

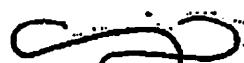
NOTICE OF HEARING

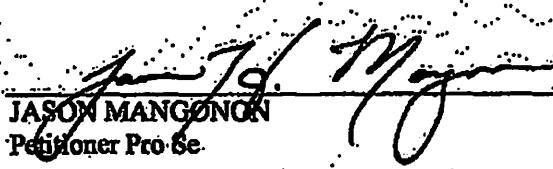
NOTICE OF HEARING

TO THE ABOVE-NAMED RESPONDENT

Please take Notice that a Hearing on the Petitioner's Verified Petition to Provide Deposition Before Action in Accordance With H.R.C.P. Rule 27 will be held at 777 Punchbowl Street, Honolulu, Hawaii 96813 / 1111 Alakea St, Honolulu, HI 96813 before the Honorable JUDGE VIRGINIA LEA CRANDALL. The Verified Petition will come on for hearing on 15 May, 2018, 2018 at 10:00 a.m.

DATED: Honolulu, Hawaii, February 8, 2018


COLBY JOHNSON
Petitioner Pro Se


JASON MANGONON
Petitioner Pro Se

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From: Colby Johnson
Sent: Wednesday, January 03, 2018 9:15 AM
To: greg.hart@united.com
Subject: Case ID # 17153449 - Customer Care Team
Importance: High

Hello Mr. Hart,

I am writing in an attempt to resolve an incident that was documented in Case ID # 17153449 and submitted to United customer care on December 31, 2107. There has been no response from customer care or United. I am writing to inform you that if a response is not received within 3 business days, we intend to file a Complaint against United in the United States District Court alleging a number of claims including negligent operation as a common carrier. Please respond at your earliest convenience so that this matter may be resolved. Thank you.

Colby E. Johnson*
Associate Attorney
Aldridge | Pite, LLP
810 Richards Street, Suite 700
Honolulu, HI 96813
Main Office: (808) 275-4490
Direct Dial: (808) 599-9369
Direct Fax: (808) 412-2718
cjohnson@aldridgepite.com

Alabama | Alaska | Arizona | California | Florida | Georgia | Hawaii | Idaho | Illinois | Nevada | New Jersey | New Mexico | New York | North Carolina | Oregon | Pennsylvania | Tennessee | Texas | Utah | Washington

*Licensed in Hawaii

This is an attempt to collect a debt by a debt collector, and any information obtained will be used for that purpose. However, if you are in an active bankruptcy case or have received a discharge of your personal liability for this debt in bankruptcy, our firm does not seek to enforce your personal liability for the debt, but may be able to pursue legal action to obtain possession of the collateral which is security for the debt to the extent that our client has a valid lien against the collateral.

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Subject: Re: United Airlines

Date: Saturday, January 20, 2018 at 7:57:00 PM Hawaii-Aleutian Standard Time

From: Colby Johnson <colbyevelynn@gmail.com>

To: Simpson, Darrell <Darrell.Simpson@united.com>

Hi Mr. Simpson,

It was great to speak with you on Friday. As you requested, we sat down and calculated a number based on estimated special and general damages, punitive damages, attorney's fees and costs as well as additional considerations. We believe a fair and reasonable settlement amount is \$4,000,000.00 per claim to resolve the current matter prior to the commencement of litigation.

Please let me know when you want to set up a time for a call. I look forward to speaking with you again soon.

Thank you.

Colby

On Jan 18, 2018, at 12:34 PM, Simpson, Darrell <Darrell.Simpson@united.com> wrote:

Good morning, Ms. Johnson:

I apologize for the delay in responding, as our offices were unexpectedly closed on Tuesday and Wednesday due to inclement weather. Houston does not experience snow or ice but maybe every 10 or so years and it happened to snow Monday evening, which resulted in most of the highway system being closed. Houston does not have salt or sand trucks to treat the roads and I am sure that is more information than you cared to receive about Houston's ability to combat snow and ice. Will you be available tomorrow?

Best regards,

Darrell Simpson
Corporate Insurance - Analyst

United | 1600 Smith Street | Houston TX 77002
Tel: (713) 324-5211 | darrell.simpson@united.com
www.united.com

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From: Colby Johnson [mailto:colbyevelynn@gmail.com]
Sent: Wednesday, January 17, 2018 4:14 PM
To: Simpson, Darrell
Subject: Re: United Airlines

Hi Mr. Simpson,

What time are you available tomorrow for a call to discuss this incident? I called you today at 11 a.m. CST as we had planned but was unable to reach you. Please let me know.

Thank you.

Colby

On Jan 11, 2018, at 12:31 PM, Simpson, Darrell <Darrell.Simpson@united.com> wrote:

Dear Ms. Johnson:

Are you available tomorrow before 12 PM CST or anytime Tuesday for a call to discuss your travel with United? Also, as part of my review into this matter, we kindly ask that you provide your settlement demand.

Best regards,

Darrell Simpson
Corporate Insurance - Analyst

United | 1600 Smith Street | Houston TX 77002
Tel: (713) 324-5211 | darrell.simpson@united.com
www.united.com

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Subject: RE: Claim GC-10806

Date: Thursday, February 15, 2018 at 10:00:21 AM Hawaii-Aleutian Standard Time

From: Simpson, Darrell <Darrell.Simpson@united.com>

To: Colby Johnson <colbyevelynn@gmail.com>

Good morning, Ms. Johnson:

Thank you for your counteroffer as well as the opportunity to respond at this time. While we certainly respect your position, Ms. Johnson, we respectfully advise that our offer of \$1,350.00 per person remains unchanged and will remain valid until 5PM CST on February 22, 2018.

Please note that you may be receiving a response from a United DOT Specialist in response to the communication you sent to the DOT regarding your travel with United Airlines.

Best regards,

Darrell Simpson

Analyst – Corporate Insurance

United Airlines | 609 Main Street, 18th Floor | HSCCI | Houston, TX 77002

Phone: (346) 265-4238 | Email: darrell.simpson@united.com

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From: Colby Johnson [mailto:colbyevelynn@gmail.com]

Sent: Thursday, February 08, 2018 10:04 PM

To: Simpson, Darrell

Subject: Re: Claim GC-10806

Hi Mr. Simpson,

Thank you for your response to my email. We are offering a counter-offer of \$250,000.00 per person to settle this claim. Please understand that this offer will expire on February 15, 2018.

Thank you for your attention to this matter.

Best,

Colby

On Feb 5, 2018, at 11:37 AM, Simpson, Darrell <Darrell.Simpson@united.com> wrote:

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Dear Ms. Johnson:

Thank you for your most recent email as well as the opportunity to respond at this time. As the adjuster assigned to this matter, I have been asked to respond on behalf of United Airlines.

As such, in response to your demand of \$4,000,000.00 per claim, we are willing to extend a gesture of goodwill in the amount of \$1,350.00 per person. This offer will remain valid for 5 days from the date of this email. Should you wish to accept this offer, please advise at your earliest convenience and we will send the appropriate documentation for execution.

Should you have any questions, please do not hesitate to contact me. Please note that my telephone number will change on February 8, 2018 at 3 PM CST to (346) 265-4238 and (713) 324-5211 will no longer be active.

Best regards,

Darrell Simpson
Corporate Insurance - Analyst

United | 1600 Smith Street | Houston TX 77002
Tel: (713) 324-5211* | darrell.simpson@united.com
www.united.com

***AFTER FEB. 8th, MY CONTACT NUMBER WILL BE (346) 265-4238**

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From: Colby Johnson [<mailto:CJohnson@aldridgepite.com>]
Sent: Friday, February 02, 2018 2:32 PM
To: Nottestad, Andrew
Cc: Hart, Greg; Simpson, Darrell
Subject: Claim GC-10806

Hello Mr. Nottestad,

I have been in contact with United Airlines in an attempt to resolve an incident that was documented by Mr. Darrell Simpson in Claim GC-10806. I have been forthcoming with Mr. Simpson with all information requested of me, including a settlement demand. The settlement demand Mr. Simpson requested was sent on January 20, 2018. He failed to confirm his receipt

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of my email and has since ignored my emails and phone calls asking for confirmation or a status.

Therefore, I am contacting you because I fully intend to file a Complaint against United Airlines, alleging, in part, negligent operation as a common carrier and negligence per se for United's violations of 14 C.F.R. § 135.121 for the improper serving of alcoholic beverages, 49 C.F.R. § 1544.303 for the improper handling of bomb or air piracy threats, and for failure to report these incidents to the FAA within the proscribed timeline (among other claims for relief).

Once litigation has commenced, settlement of these claims will be off the table. I am writing to afford United the opportunity to settle these claims prior to the commencement of litigation as well as the accompanying full media release of what occurred on UA Flight 1589. It is my position that United will lose a substantial amount of goodwill should these claims be subjected to public scrutiny.

Please understand that should I not receive a response by EOB Tuesday, February 6, 2018, I will move forward with a Motion for Deposition Before Action and for the Examination of Discovery on an Emergency Basis. Please note that an FOIA request has already been submitted to the FAA to obtain any and all incident reports relating to Flight UA 1589.

Please feel free to contact me at my direct number or respond to this email. I appreciate your prompt attention to this matter.

Best,

Colby E. Johnson*
Associate Attorney
Aldridge | Pite, LLP
810 Richards Street, Suite 700
Honolulu, HI 96813
Main Office: (808) 599-9369
Direct Dial: (808) 265-5859
Direct Fax: (808) 412-2718
cjohnson@aldrigepte.com

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*Licensed in Hawaii

This is an attempt to collect a debt by a debt collector, and any information obtained will be used for that purpose. However, if you are in an active bankruptcy case or have received a discharge of your personal liability for this debt in bankruptcy, our firm does not seek to enforce your personal liability for the debt, but may be able to pursue legal action to obtain possession of the collateral which is security for the debt to the extent that our client has a valid lien against the collateral.

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Non-Criminal Case Information

Case ID	1SP181000049	Case Title	COLBY JOHNSON ETAL VS UNITED AIRLINES INC		
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Initiation Type	N	Initiation Date	02/09/2018	Initiator I.D.	APS
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Conf. Code	N	Division	1C09	Court	C
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Case Info	Party List	Document List	Court Minutes List
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Cause of Action	SPEC PROCEED	Nature of Action	18051
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Cons Code	Trial Type	Trial Judge
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Section Code	Court Costs	0	Lower Crt Cs
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Case Disp	Case Term	Cs Term Dt
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Orig. Agency	Tax Dist.	Tax App Src
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Gn Ex Tx Amt	0.00	Gn Ex Tx No	Tax Key
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Property Loc

Comments

EXHIBIT 5

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Non-Criminal Case Information

Case ID	1SP181000049	Case Title	COLBY JOHNSON ETAL VS UNITED AIRLINES INC	
Initiation Type	N	Initiation Date	02/09/2018	Initiator I.D. APS
Conf. Code	N	Division	1C09	Court C

[Case Info](#)[Party List](#)[Document List](#)[Court Minutes List](#)

Seq	Name	Party Type	Open Date	Party Status										
1	JOHNSON, COLBY	PT	02/10/2018											
<table border="1"> <thead> <tr> <th>Seq</th> <th>Attorney I.D.</th> <th>Type</th> <th>Status</th> <th>Attorney Name</th> </tr> </thead> <tbody> <tr> <td>1</td><td>APS</td><td>PS</td><td>A</td><td>PRO SE</td></tr> </tbody> </table>					Seq	Attorney I.D.	Type	Status	Attorney Name	1	APS	PS	A	PRO SE
Seq	Attorney I.D.	Type	Status	Attorney Name										
1	APS	PS	A	PRO SE										
Amt Pr For		Attorney's Fee		Amt. Awarded										
Attrny Comm		Interest		Sheriff's Fee										
Notary Fee		Court Costs		Mileage Fee										
Comments														
2	MANGONON, JASON	PT	02/10/2018											
<table border="1"> <thead> <tr> <th>Seq</th> <th>Attorney I.D.</th> <th>Type</th> <th>Status</th> <th>Attorney Name</th> </tr> </thead> <tbody> <tr> <td>1</td><td>APS</td><td>PS</td><td>A</td><td>PRO SE</td></tr> </tbody> </table>					Seq	Attorney I.D.	Type	Status	Attorney Name	1	APS	PS	A	PRO SE
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1	APS	PS	A	PRO SE										
Amt Pr For		Attorney's Fee		Amt. Awarded										
Attrny Comm		Interest		Sheriff's Fee										
Notary Fee		Court Costs		Mileage Fee										
Comments														
3	UNITED AIRLINES INC	RD	02/10/2018											
<table border="1"> <thead> <tr> <th>Amt Pr For</th> <th></th> <th>Attorney's Fee</th> <th></th> <th>Amt. Awarded</th> </tr> </thead> </table>					Amt Pr For		Attorney's Fee		Amt. Awarded					
Amt Pr For		Attorney's Fee		Amt. Awarded										
Attrny Comm		Interest		Sheriff's Fee										
Notary Fee		Court Costs		Mileage Fee										
Comments														

2/27/2018 Case 1:18-cv-00077 Document 1-8 Filed 02/27/18 by hoohiki Page 3 of 5 PageID #: 22

2/27/2018 Case 1:18-cv-00077 Document 1-6 Filed 02/27/18 Page 4 of 5 PageID #: 23

Non-Criminal Case Information

Case ID	1SP181000049	Case Title	COLBY JOHNSON ETAL VS UNITED AIRLINES INC		
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Initiation Type	N	Initiation Date	02/09/2018	Initiator I.D.	APS
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Conf. Code	N	Division	1C09	Court	C
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Case Info	Party List	Document List	Court Minutes List
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Seq	Doc Type	Document Title	Date/Time	Filing Party
▼ 1	EPR	(RECEIVED) COPY OF VERIFIED PETITION TO PROVIDE DEPOSITION BEFORE ACTION IN ACCORDANCE WITH HRCP RULE 27; N/H	02/09/2018 10:19	PRO SE
Volume Number		Case Folder Pg		
Comments				
▼ 2	PET	VERIFIED PETITION TO PROVIDE DEPOSITION BEFORE ACTION IN ACCORDANCE WITH HRCP RULE 27; N/H	02/14/2018 12:23	PRO SE
Volume Number		Case Folder Pg		
Comments				

2/27/2018 Case 1:18-cv-00077 Document 1-8 Filed 02/27/18 Page 5 of 5 PageID #: 24

Non-Criminal Case Information

Case ID	1SP181000049	Case Title	COLBY JOHNSON ETAL VS UNITED AIRLINES INC		
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Initiation Type	N	Initiation Date	02/09/2018	Initiator I.D.	APS
-----------------	---	-----------------	------------	----------------	-----

Conf. Code	N	Division	1C09	Court	C
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[Case Info](#)
[Party List](#)
[Document List](#)
[Court Minutes List](#)

App Type	Loc	Type	Date/Time	Phase	App Desc	App Disp
▼ 1	ACC	1C09	AC	02/09/2018	ASSIGNED CIVIL CALENDAR	
CTRM			Cal. Type	AC	Priority	0
Judge I.D.	JVCRANDA LL		Video No.		Audio No.	
Minutes						
▼ 2	MOT	1C09	CM	03/12/2018 10:00	VERIFIED PETITION TO PROVIDE DEPOSITION BEFORE ACTION IN ACCORDANCE WITH H.R.C.P. RULE 27 (C. JOHNSON)	
CTRM			Cal. Type	CM	Priority	0
Judge I.D.	JVCRANDA LL		Video No.		Audio No.	
Minutes						

Case 1:18-cv-00077 Document 1-7 Filed 02/27/18 Page 1 of 1 PageID #: 25

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF HAWAI'I**

COLBY JOHNSON and JASON
MANGONON,

Petitioners,

vs.

UNITED AIRLINES, INC.,

Respondent.

CIVIL NO. _____

CERTIFICATE OF SERVICE

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a copy of the within document was served
on this date in the following manner:

	<u>HAND DELIVERED</u>	<u>MAILED</u>	<u>CM/ECF</u>
COLBY JOHNSON JASON MANGONON 810 Richards Street, Suite 700 Honolulu, HI 96813	[]	[X]	[]
Petitioners Pro Se			

DATED: Honolulu, Hawai'i, February 27, 2018.

/s/ Abigail M. Holden

JOACHIM P. COX
ROBERT K. FRICKE
ABIGAIL M. HOLDEN

Attorneys for Respondent
UNITED AIRLINES, INC.

Case 1:18-cv-00077 Document 1-8 Filed 02/27/18 Page 1 of 1 PageID #: 26

JS 44 (Rev. 12/12)

CIVIL COVER SHEET

The JS 44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON NEXT PAGE OF THIS FORM.)

I. (a) PLAINTIFFS Johnson, Colby Mangonon, Jason		DEFENDANTS United Airlines, Inc.		
(b) County of Residence of First Listed Plaintiff <u>Honolulu</u> <i>(EXCEPT IN U.S. PLAINTIFF CASES)</i>		County of Residence of First Listed Defendant <u>Delaware</u> <i>(IN U.S. PLAINTIFF CASES ONLY)</i>		
		NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE TRACT OF LAND INVOLVED.		
(c) Attorneys (Firm Name, Address, and Telephone Number) Colby Johnson, Jason Mangonon 810 Richards Street, Suite 700, Hon, HI 96813 (808) 265-5859 Petitioners Pro Se		Attorneys (If Known) Joaichim P. Cox, Robert K. Fricke, Abigail M. Holden Cox Fricke LLP 800 Bethel Street, Suite 600, Hon., HI 96813 (808) 585-9440		
II. BASIS OF JURISDICTION (Place an "X" in One Box Only)		III. CITIZENSHIP OF PRINCIPAL PARTIES (Place an "X" in One Box for Plaintiff and One Box for Defendant)		
<input type="checkbox"/> 1 U.S. Government Plaintiff	<input type="checkbox"/> 3 Federal Question <i>(U.S. Government Not a Party)</i>	Citizen of This State <input checked="" type="checkbox"/> 1 <input type="checkbox"/> 2 Incorporated or Principal Place of Business In This State <input type="checkbox"/> 4 <input checked="" type="checkbox"/> 4		
<input type="checkbox"/> 2 U.S. Government Defendant	<input checked="" type="checkbox"/> 4 Diversity <i>(Indicate Citizenship of Parties in Item III)</i>	Citizen of Another State <input type="checkbox"/> 2 <input type="checkbox"/> 2 Incorporated and Principal Place of Business In Another State <input type="checkbox"/> 5 <input checked="" type="checkbox"/> 5		
		Citizen or Subject of a Foreign Country <input type="checkbox"/> 3 <input type="checkbox"/> 3 Foreign Nation <input type="checkbox"/> 6 <input type="checkbox"/> 6		
IV. NATURE OF SUIT (Place an "X" in One Box Only)				
CONTRACT	TORTS	FORFEITURE/PENALTY	BANKRUPTCY	OTHER STATUTES
<input type="checkbox"/> 110 Insurance <input type="checkbox"/> 120 Marine <input type="checkbox"/> 130 Miller Act <input type="checkbox"/> 140 Negotiable Instrument <input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment <input type="checkbox"/> 151 Medicare Act <input type="checkbox"/> 152 Recovery of Defaulted Student Loans (Excludes Veterans) <input type="checkbox"/> 153 Recovery of Overpayment of Veteran's Benefits <input type="checkbox"/> 160 Stockholders' Suits <input type="checkbox"/> 190 Other Contract <input type="checkbox"/> 195 Contract Product Liability <input type="checkbox"/> 196 Franchise	<input type="checkbox"/> PERSONAL INJURY <input type="checkbox"/> 310 Airplane <input type="checkbox"/> 315 Airplane Product Liability <input type="checkbox"/> 320 Assault, Libel & Slander <input type="checkbox"/> 330 Federal Employers' Liability <input type="checkbox"/> 340 Marine <input type="checkbox"/> 345 Marine Product Liability <input type="checkbox"/> 350 Motor Vehicle <input type="checkbox"/> 355 Motor Vehicle Product Liability <input checked="" type="checkbox"/> 360 Other Personal Injury <input type="checkbox"/> 362 Personal Injury - Medical Malpractice	<input type="checkbox"/> PERSONAL INJURY <input type="checkbox"/> 365 Personal Injury - Product Liability <input type="checkbox"/> 367 Health Care/ Pharmaceutical Personal Injury Product Liability <input type="checkbox"/> 368 Asbestos Personal Injury Product Liability	<input type="checkbox"/> 625 Drug Related Seizure of Property 21 USC 881 <input type="checkbox"/> 690 Other	<input type="checkbox"/> 422 Appeal 28 USC 158 <input type="checkbox"/> 423 Withdrawal 28 USC 157 PROPERTY RIGHTS <input type="checkbox"/> 820 Copyrights <input type="checkbox"/> 830 Patent <input type="checkbox"/> 840 Trademark
REAL PROPERTY	CIVIL RIGHTS	PRISONER PETITIONS	SOCIAL SECURITY	
<input type="checkbox"/> 210 Land Condemnation <input type="checkbox"/> 220 Foreclosure <input type="checkbox"/> 230 Rent Lease & Ejectment <input type="checkbox"/> 240 Torts to Land <input type="checkbox"/> 245 Tort Product Liability <input type="checkbox"/> 290 All Other Real Property	<input type="checkbox"/> 440 Other Civil Rights <input type="checkbox"/> 441 Voting <input type="checkbox"/> 442 Employment <input type="checkbox"/> 443 Housing/ Accommodations <input type="checkbox"/> 445 Amer. w/Disabilities - Employment <input type="checkbox"/> 446 Amer. w/Disabilities - Other <input type="checkbox"/> 448 Education	Habeas Corpus: <input type="checkbox"/> 463 Alien Detainee <input type="checkbox"/> 510 Motions to Vacate Sentence <input type="checkbox"/> 530 General <input type="checkbox"/> 535 Death Penalty Other: <input type="checkbox"/> 540 Mandamus & Other <input type="checkbox"/> 550 Civil Rights <input type="checkbox"/> 555 Prison Condition <input type="checkbox"/> 560 Civil Detainee - Conditions of Confinement	<input type="checkbox"/> 710 Fair Labor Standards Act <input type="checkbox"/> 720 Labor/Management Relations <input type="checkbox"/> 740 Railway Labor Act <input type="checkbox"/> 751 Family and Medical Leave Act <input type="checkbox"/> 790 Other Labor Litigation <input type="checkbox"/> 791 Employee Retirement Income Security Act	<input type="checkbox"/> 861 HIA (1395f) <input type="checkbox"/> 862 Black Lung (923) <input type="checkbox"/> 863 DIWC/DIWW (405(g)) <input type="checkbox"/> 864 SSID Title XVI <input type="checkbox"/> 865 RSI (405(g))
			IMMIGRATION	<input type="checkbox"/> 462 Naturalization Application <input type="checkbox"/> 465 Other Immigration Actions
V. ORIGIN (Place an "X" in One Box Only)				
<input type="checkbox"/> 1 Original Proceeding	<input checked="" type="checkbox"/> 2 Removed from State Court	<input type="checkbox"/> 3 Remanded from Appellate Court	<input type="checkbox"/> 4 Reinstated or Reopened	<input type="checkbox"/> 5 Transferred from Another District <i>(Specify)</i> _____
		6 Multidistrict Litigation		
		Cite the U.S. Civil Statute under which you are filing (Do not cite jurisdictional statutes unless diversity): 28 U.S.C. §§ 1332, 1441(a) and 1446(a)		
VI. CAUSE OF ACTION		Brief description of cause: Alleged incident on airline flight		
VII. REQUESTED IN COMPLAINT:		<input type="checkbox"/> CHECK IF THIS IS A CLASS ACTION UNDER RULE 23, F.R.Cv.P.	DEMANDS	CHECK YES only if demanded in complaint: JURY DEMAND: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
VIII. RELATED CASE(S) IF ANY		(See instructions): JUDGE _____ DOCKET NUMBER _____		
DATE 02/27/2018		SIGNATURE OF ATTORNEY OF RECORD /s/ Abigail M. Holden		
FOR OFFICE USE ONLY				
RECEIPT # _____		AMOUNT _____	APPLYING IFF _____	JUDGE _____ MAG. JUDGE _____

2/27/2018

CM/ECF V6.1.1 **LIVE**

Attorney Initiating Documents**U.S. District Court****District of Hawaii****Notice of Electronic Filing**

The following transaction was entered by Holden, Abigail on 2/27/2018 at 4:46 PM HST and filed on 2/27/2018

Case Name: Johnson v. United Airlines, Inc.

Case Number: 1:18-cv-00077

Filer: United Airlines, Inc.

Document Number: 1

Judge(s) Assigned: None (please contact the court)

Docket Text:

NOTICE OF REMOVAL by United Airlines, Inc. (Filing fee \$ 400 receipt number 0975-1997120), filed by United Airlines, Inc.. (Attachments: # (1) Declaration of Abigail M. Holden, # (2) Exhibit 1 - Verified Petition to Provide Depo Before Action, # (3) Exhibit 2 - 1/3/18 email, # (4) Exhibit 3 - 1/20/18 email, # (5) Exhibit 4 - 2/8/18 email, # (6) Exhibit 5 -State Court docket, # (7) Certificate of Service, # (8) Civil Cover Sheet)(Holden, Abigail)

1:18-cv-00077 Notice has been electronically mailed to:

Abigail Marie Holden aholden@cfhawaii.com, jdougherty@cfhawaii.com, nfarris@cfhawaii.com

1:18-cv-00077 Notice will not be electronically mailed to:

Colby Johnson

The following document(s) are associated with this transaction:

Document description: Main Document

Original filename: n/a

Electronic document Stamp:

[STAMP dcecfStamp_ID=1095854936 [Date=2/27/2018] [FileNumber=2408304-0
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Document description: Declaration of Abigail M. Holden

Original filename: n/a

Electronic document Stamp:

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Document description: Exhibit 1 - Verified Petition to Provide Depo Before Action

Original filename: n/a

Electronic document Stamp:

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Document description: Exhibit 2 - 1/3/18 email

Original filename: n/a

2/27/2018

CM/ECF V6.1.1 **LIVE**

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Document description:Exhibit 3 - 1/20/18 email

Original filename:n/a

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Document description:Exhibit 4 - 2/8/18 email

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Document description:Exhibit 5 -State Court docket

Original filename:n/a

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Document description:Certificate of Service

Original filename:n/a

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Document description:Civil Cover Sheet

Original filename:n/a

Electronic document Stamp:

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IN THE CIRCUIT COURT OF THE FIRST CIRCUIT
STATE OF HAWAI'I

COLBY JOHNSON and JASON
MANGONON,

Petitioners,

vs.

UNITED AIRLINES, INC.,

Respondent.

S.P. NO. 18-1-0049 VLC

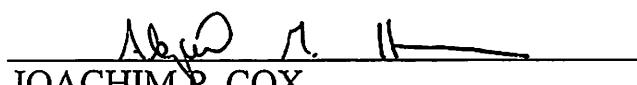
CERTIFICATE OF SERVICE

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a copy of the within document was served
on this date in the following manner:

	<u>HAND DELIVERED</u>	<u>MAILED</u>	<u>CM/ECF</u>
COLBY JOHNSON JASON MANGONON 810 Richards Street, Suite 700 Honolulu, HI 96813	[]	[X]	[]
Petitioners Pro Se			

DATED: Honolulu, Hawai'i, February 28, 2018.


JOACHIM P. COX
ROBERT K. FRICKE
ABIGAIL M. HOLDEN

Attorneys for Respondent
UNITED AIRLINES, INC.